

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON

GREGORY A. MOORE,

CV. 06-1819-HU

Petitioner,

ORDER

v.

JEAN HILL, Superintendent,  
Snake River Correctional  
Institution,

Respondent.

HAGGERTY, Judge

Petitioner's motion to voluntarily dismiss (#29) is GRANTED.  
IT IS ORDERED that the petition for writ of habeas corpus (#1) is  
DISMISSED, without prejudice.

In the event that the decision in Blakely v. Washington, 542  
U.S. 296 (2004), is made retroactive to cases on collateral review,  
petitioner has leave to reopen this case only as to the Blakely  
issues, and the limitations period shall be deemed tolled from the  
date this Order is signed until 60 days after the date of the  
decision rendering Blakely retroactively applicable. If Blakely is  
made retroactive and the petitioner moves to reopen this case

during the above referenced 60-day period, petitioner may also amend the petition as of right so as to properly plead all Blakely-based claims in this Court.

IT IS SO ORDERED.

DATED this 25th day of June, 2008.

/s/ Ancer L. Haggerty

Ancer L. Haggerty

United States District Judge